IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 28TH MARCH 2007 / 7TH CHAITHRA 1929

WP(C).No. 12614 of 2004(B)

PETITIONER:

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1. K. SREEKALA, BRANCH MANAGER,
   ALAPPUZHA DISTRICT CO-OPERATIVE BANK,
   KALAVOOR BRANCH.

2. N.J. SANTHAMMA, BRANCH MANAGER
   ALAPPUZHA DISTRAICT CO-OPERATIVE BANK
   PALLIPPAD BRANCH.

BY ADV. SRI.K.HARILAL

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY THE
   SECRETARY TO CO-OPERATIVE DEPARTMENT,
   GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.

2. REGISTRAR OF CO-OPERATIVE SOCIETIES,
   THIRUVANANTHAPURAM.

3. JOINT REGISTRAR OF CO-OPERATIVE
   SOCIETIES, ALAPPUZHA.

4. ALAPPUZHA DISTRICT CO-OPERATIVE
   BANK, REPRESENTED BY THE GENERAL MANAGER.

R1 to 3 BY GOVERNMENT PLEADER SRI. MANOJ
R4 ADV. SRI.V.G.ARUN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 28/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONERS EXHIBITS:

EXT.P1: COPY OF THE ORDER DATED 29.11.1999 GRANTING RELAXATION OF EDUCATIONAL QUALIFICATION TO THE 1ST PETITIONER ISSUED BY THE 2ND RESPONDENT.

EXT.P2: COPY OF THE ORDER DATED 23.11.01 GRANTING RELAXATION OF EDUCATIONAL QUALIFICATION TO 2ND PETITIONER ISSUED BY 2ND REPONDENT.

EXT.P3: COPY OF THE SENIORITY LIST AS ON 1.4.2003 PUBLISHED BY THE RESPONDENT.

EXT.P4: COPY OF THE LETTER DATED 24.10.01 SENT BY THE 1ST RESPONDENT TO THE SECRETARY, ALL KERALA DISTRICT CO-OP. BANK EMPLOYEES CONGRESS.

EXT.P5: COPY OF THE LETTER SENT BY 4TH RESPONDENT TO THE 1ST PETITIONER.

EXT.P6: COPY OF THE LETTER SENT BY THE 4TH RESPONDENT TO THE 2ND PETITIONER.

EXT.P7: COPY OF STAFF REGULATION CLAUSE II B (1) OF THE APPROVED STAFF REGULATION INTERIM VACANCIES EXCEEDING 30 DAYS AND ABOVE MAY ORDINARILY BE FILLED UP BY TEMPORARY PROMOTION.

TRUE COPY

P.A.TO JUDGE

KURIAN JOSEPH, J.

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W.P.(C)NO.12614 OF 2004

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Dated this the 28th day of March 2007

JUDGMENT

The writ petition is filed with the following prayers:

i) issue a writ of certiorari or any other writ, order or direction calling for all records leading to Exts.P5 and P6 and quash the same.

ii) Issue a writ of mandamus or any other writ, order or direction compelling and commanding the 4th respondent to appoint petitioners provisionally as Executive Officers against the existing vacancies till the conduct of competitive examination.

It is for the second petitioner to approach the fourth respondent in which case her grievance will be considered in the light of the departmental instructions in the matter within a period of one month from the date of production of a copy of this judgment.

KURIAN JOSEPH, JUDGE

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